IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 19250 of 2004

Between:

Ch.Ramakrishnam Raju S/o Satyanarayana Raju
Nedunuru, Inavalli Mandal, East Godavari District

..... PETITIONER

AND

1 The Deputy Registrar of Cooperative Societies Amalapuram, East Godavari Distirct
2 The District Cooperative Officer East Godavari, Kakinada.
3 K.Narasimha Raju s/o Venkatrama Raju
DCC.Bank, P.Gannavaram Branch, East Godavari District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue Rule Nisi calling for the records leading up to and inclusive of the impugned order passed by the 1st respondent in their proceedings bearing RC .No.772/2003C dt. 30/06/2004 and quash the same by issuing on appropriate writ order or direction more particularly one in the nature of Writ of Certiorari and quash the same.

Counsel for the Petitioner: MR.M.FRUDVI RAMA RAJU

Counsel for Respondent 1 and 2: GP FOR COOPERATION

Counsel for Respondent No.3: --

The Court at the stage of admission made the following Order:

The impugned order dated 30-06-2004 was passed by the first respondent-Deputy Registrar of Co-operative Societies, Amalapuram, East Godavari District, under Section 60 of the Andhra Pradesh Co-operative Societies Act, 1964 (for short 'the Act'), whereunder, the petitioner was surcharged and directed to restore the amounts as determined therein.

Admittedly, against the said order, an alternative remedy is available under the statute by way of appeal under Section 76 of the Act and without exhausting the said alternative remedy, the petitioner cannot maintain this writ petition.

Accordingly, granting leave and liberty to the petitioner to work out the appropriate remedy as available under law, the writ petition is dismissed. No costs.

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14-10-2004

kdl

To

1 The Deputy Registrar of Cooperative Societies Amalapuram, East Godavari Distirct
2 The District Cooperative Officer East Godavari, Kakinada.
3 Two C.Cs. to the G.P. for Co-operation, High Court Buildings, A.P., Hyderabad, (OUT).

4 Two C.D. Copies.